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FAX NO. 8602860115

P. 02

Appl. No. 10/709,175
Docket No. 146442/GEM-0120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/709,175 : Confirmation No.: 3174
Applicant: Habib Vafi : Group Art Unit: 2833
Filed: April 19, 2004 : Examiner: Gilman, Alexander
Docket No.: 146442/GEM-0120 :

For: ELECTRONIC ASSEMBLY, AND APPARATUS AND METHOD FOR THE
ASSEMBLY THEREOF

October 25, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

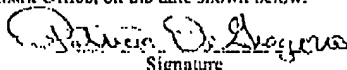
Provided herewith are comments on the Examiner's Statement of Reasons for
Allowance presented in the Notice of Allowance dated August 2, 2005.

CERTIFICATE OF MAILING OR TRANSMISSION

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Mail in an envelope, or Express Mail No. _____, addressed to: Mail Stop _____,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to (571)273-2885 _____,
at the United States Patent and Trademark Office, on the date shown below.

Patricia DiGregorio

Name



Signature

November 1, 2005

Date

Appl. No. 10/709,175
Docket No. 146142/GEM-0120

The Examiner remarks that no prior art has been found to anticipate or render obvious the presently claimed subject matter. More specifically, the Examiner remarks that none of the prior art of record discloses the combination of the limitations presented including the specified geometrical relationships between the cavities (pockets) and projections of the respective layers when the array of the backlit photodiodes is non-separably assembled to the substrate. Paper No. 07222005, page 2.

While Applicant agrees that presented claims pertain to allowable subject matter, Applicant respectfully submits that to the extent that the Examiner's remarks suggest or state that certain limitations or combinations not found in the prior art are present in each and every allowable claim, whether or not specific language to that effect is found in every allowable claim, the record as a whole must be considered in addition to the Examiner's remarks, and, to the extent that the record as a whole is clear and complete, it shall control the interpretation of any and all allowable claims.

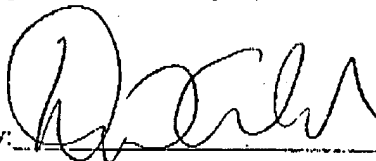
More specifically, the Examiner's statement of reasons may imply that features found in the specification only, in the dependent claims only, or in some but not all independent claims only, are part of all of the allowable claims, when in fact the record clearly reflects that there are claims not so limited. For example, elements may be found in one claim but not in another. Accordingly, the other claims, and claims dependent from the other claims that do not recite the same as the one claim, are not so limited. As a further example, allowed independent Claim 1 recites depth *d*, gap *g*, and length *h*, to define the geometrical relationship between the cavities (pockets) and projections of the respective layers. However, these limitations are not recited in independent Claims 35 and 36. Accordingly, these claims, and claims dependent from these claims that do not recite the same, are not so limited.

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Respectfully submitted,

CANTOR COLBURN LLP

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DATE: November 1, 2005

TO: ISSUE FEE

COMPANY: U.S. PATENT AND TRADEMARK OFFICE

FAX NO.: (571) 273-2885

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FROM: Pat DiGregorio (Cantor Colburn LLP)

OUR REF: GEM-0120

YOUR REF: USSN 10/709,175

(146442CT)

TOTAL NUMBER OF PAGES SENT
(INCLUDING THIS COVER SHEET): 4**COMMENTS: TO WHOM IT MAY CONCERN:**

The Issue Fee and Publication Fee for this case (USSN 10/709,175) was submitted on 10/31/2005. Please find enclosed "COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE" (3 Pages).

If there are any charges with regard to this submission please charge them to Deposit Account 07-0845.

Thank you,

CANTOR COLBURN LLP

If there are any problems with this transmission,
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